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7 **UNITED STATES DISTRICT COURT**
8
FOR THE DISTRICT OF NEVADA

9 * * * * *

10 **THE UNITED STATES OF AMERICA,**

11 **Plaintiff,**

12 **vs.**

13 **IN EQUITY**
3:73-CV-00183-LDG

14 **ALPINE LAND & RESERVOIR COMPANY**
a corporation, et al,

15 **Defendant.**

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ORDER APPROVING WATER MASTER'S BUDGET FOR 2015-2016;
CREATING AN ASSESSMENT TO REPLENISH THE FUND HERETOFORE
ESTABLISHED TO PAY THE EXPENSE OF CONDUCTING
THE WATER MASTER'S OFFICE, APPORTIONING THE COSTS
THEREOF, PROVIDING THE MANNER AND METHOD OF
COLLECTION THEREOF, AND DIRECTING THE DISTRIBUTION
OF THE WATERS OF THE CARSON RIVER WHEN NECESSARY

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21 **BE IT REMEMBERED** that the petition of CHAD BLANCHARD, Water
Master appointed herein to administer the Final Decree entered
22 on December 18, 1980, asking that an assessment be created to
23 replenish the fund heretofore established to pay the expenses of
24 conducting the office of the Water Master for the period from
25 October 1, 2015, to September 30, 2016, and for such other
26 action as might seem meet and proper in the premises, having
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1 been filed with the Clerk of this Court on November 13, 2015,
2 and proper notice having been given to all parties of the filing
3 of said petition, and all parties having the opportunity to
4 enter objections thereto, and no objections having been entered
5 by any party to the said petition and proposed budget and good
6 cause appearing,
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8 **NOW, THEREFORE, IT IS HEREBY ORDERED:**

9 1. That the budget submitted by the Water Master on
10 November 13, 2015, as part of his petition, is hereby approved
11 and the Water Master is hereby authorized and directed to pay to
12 himself as Water Master the salary indicated in said budget, to
13 employ assistants as may be necessary and to pay all necessary
14 expenses incurred in administering the Final Decree issued
15 herein, as provided for in said budget.

16 2. That in order to provide a means for the payment of
17 further expense of conducting the Water Master's office,
18 particularly for the period from October 1, 2015, to September
19 30, 2016, there is hereby created an assessment in the sum of
20 THREE HUNDRED TWENTY THOUSAND DOLLARS (\$320,000.00).

22 3. That the water users within the Truckee-Carson
23 Irrigation District, by and through the Truckee-Carson
24 Irrigation District, pay to the Water Master one-fifth (1/5) of
25 the said assessment, to wit, the sum of SIXTY-FOUR THOUSAND
26 DOLLARS (\$64,00.00), said payment to be made on or before April
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1 30, 2016.

2 4. That the balance of said assessment be assessed
3 against all of the remaining water users on the Carson River
4 subject to the jurisdiction of this Court, on a prorata bases of
5 FOUR DOLLARS AND 10 CENTS (\$4.10) per acre, according to the
6 irrigable acreage possessed by said water users, said payments
7 to be made to the Water Master on or before April 30, 2016, it
8 being provided, however, that the minimum charge assessed
9 against any water user shall not be less than FORTY-ONE DOLLARS
10 AND NO CENTS (\$41.00).

12 5. That the Clerk of this Court give notice of the
13 required payments to be made by each water user by mailing a
14 copy of this order and the notice annexed hereto to each
15 attorney appearing of record for the plaintiff and sundry
16 defendants in this cause within five (5) days of the entry of
17 this order; the Water Master is further directed to give such
18 notice to the parties hereto and their successors and assigns by
19 publishing a copy of the notice annexed hereto in the following
20 newspapers: Nevada Appeal, P.O. Box 2288, Carson City, Nevada,
21 89701; Record-Courier, P.O. Box 2288, Carson City, Nevada 89702-
22 2288; Lahontan Valley News, P.O. Box 1297, Fallon, Nevada 89407-
23 1297 and Mason Valley News, P.O. Box 841, Yerington, Nevada
24 89447, once a week for two (2) consecutive weeks.

26 6. That the prorata amounts so assessed against the water
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1 users on the Carson River on the basis of the water righted
2 acreage possessed by said water users shall become and be a lien
3 against said water righted lands until paid, and that the Water
4 Master be, and hereby is, directed to enforce the collection of
5 said assessments, together with a reasonable late fee not less
6 than TEN DOLLARS (\$10.00), in the manner provided by law, and is
7 further ordered to cut off water deliveries from any water user
8 who is in default in any said required payments.
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10 7. That said Water Master, CHAD BLANCHARD, be and hereby
11 is, directed to make a report and submit an audit by a certified
12 public accountant of his books, records, and accounts annually
13 on or before the 15th day of January 2017.

14 8. That the Water Master, CHAD BLANCHARD, be and hereby
15 is, directed to continue in effect the surety bond in the sum of
16 FIFTY THOUSAND DOLLARS (\$50,000.00) heretofore provided pursuant
17 to his order of appointment for the faithful performance of his
18 duties as custodian of such funds and the property that may be
19 in his care.
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21 9. That the Water Master's report and audit for the
22 fiscal year ending September 30, 2016, shall be filed by January
23 15, 2017. The Water Master's report and audit for the fiscal
24 year ending September 30, 2015 filed on the 30th day of December
25 2015, is hereby approved.

26 10. That the operation and administration of the Water
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1 Master's office in administering the provisions of the Final
2 decree for the period from October 1, 2014, to September 30,
3 2015 is hereby approved.

4 11. That the Water Master begin the distribution of the
5 waters of the Carson River under said Final Decree on such date
6 as the Water Master determines that the distribution of said
7 water under his authority is necessary.

9 12. That the Water Master is directed to create a funded
10 account pursuant to existing Personnel and Benefits Policy to
11 cover the cost of continuing health insurance on qualified
12 personnel, upon their retirement, and that the cost shall be
13 included in the Water Master's Budget each year until such time
14 as the earned benefit is exhausted.

15 DATED this 24 day of July 2016.

DISTRICT JUDGE

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